

Services, transmitting, pursuant to law, the report of a rule entitled "Beverages: Bottled Water; Confirmation of Effective Date" (Doc. No. 03N-0068) received on July 28, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-3588. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Prescription Drug Marketing Act of 1987; Prescription Drug Amendments of 1992; Policies, Regulations, and Administrative Procedures; Delay of Effective Date" (RIN0905-AC81) received on July 28, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-3589. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Records and Reports Concerning Experience With Approved New Animal Drugs" (RIN0910-AA02) received on July 28, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-3590. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Topical Nitrofurans; Extralabel Animal Drug Use; Order of Prohibition" (Doc. No. 01N-0499) received on July 28, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC-3591. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's annual report relative to the Comprehensive Community Mental Health Services for Children and Their Families Program; to the Committee on Health, Education, Labor, and Pensions.

EC-3592. A communication from the Secretary of Health and Human Services, transmitting, a report relative to the Community Food and Nutrition Program; to the Committee on Health, Education, Labor, and Pensions.

EC-3593. A communication from the Assistant Secretary, Indian Affairs, transmitting, pursuant to law, the report of a rule entitled "Law and Order on Indian Reservations" received on July 28, 2003; to the Committee on Indian Affairs.

EC-3594. A communication from the Acting Director, Office of Regulatory Law, Board of Veterans' Appeals, transmitting, pursuant to law, the report of a rule entitled "Board of Veterans' Appeals Rules of Practice; Claim for Death Benefits by Survivor" (RIN2900-AL11) received on July 28, 2003; to the Committee on Veterans' Affairs.

EC-3595. A communication from the President of the United States, transmitting, pursuant to law, the six month periodic report on the national emergency with respect to Sierra Leone and Liberia that was declared in Executive Order 13194 of January 18, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-3596. A communication from the President of the United States, transmitting, pursuant to law, the report of the continuation of the national emergency with respect to Iraq that was declared in Executive Order 12722 of August 2, 1990; to the Committee on Banking, Housing, and Urban Affairs.

EC-3597. A communication from the President of the United States, transmitting, pursuant to law, a report regarding a World Trade Organization Concerning Kimberley Process Certification Scheme for Rough Diamonds; to the Committee on Finance.

EC-3598. A communication from the President of the United States, transmitting, pursuant to law, a report concerning the implementation of the Diamond Trade Act; to the Committee on Finance.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-247. A resolution adopted by the Senate of the General Assembly of the State of Pennsylvania relative to prison inmates; to the Committee on Finance.

### SENATE RESOLUTION

Whereas, studies have shown that approximately 80% of prison inmates are affected by mental health/mental retardation and drug and alcohol problems; and

Whereas, studies have confirmed that 33% of all criminal justice costs are related to substance abuse; and

Whereas, data indicates that 40% of State prisoners will be released in the next 12 months and studies demonstrate that approximately 50% to 60% of inmates released from prison will reengage in criminal activity; and

Whereas, in 1999 approximately 3,773,600 American adults were on probation and nearly 713,000 were on parole with minimal substance abuse treatment; and

Whereas, research has proven that rehabilitation programs sharply reduce rates of recidivism, thereby ending a vicious and socially destructive cycle of entry and exit from prison; and

Whereas, by providing funds to establish drug and alcohol rehabilitation programs in State and county prisons, the State will be able to reduce the judicial and operational costs associated with repeat offenders and recidivism; and

Whereas, current law prohibits the use of Federal Medicaid funds for drug and alcohol rehabilitation programs in prisons under 42 CFR § 435.1009 (relating to definitions relating to institutional status); and

Whereas, current law also prohibits the use of federal Medicaid funds for mental health and mental retardation treatment programs in prisons under 42 CFR § 435.1009 (relating to definitions relating to institutional status); and

Whereas, treatment should lead to a decrease in recidivism among prisoners afflicted with mental health and mental retardation problems: Therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States to amend 42 CFR § 435.1009 to permit the use of Federal Medicaid funds for prison mental health and mental retardation treatment programs and drug and alcohol rehabilitation programs and thereby afford states throughout the nation the ability to reduce recidivism and lower crime through Prison-administered treatment and rehabilitation programs; and be it further

*Resolved*, That copies of this resolution be transmitted to the President, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-248. A resolution adopted by Commission of Wayne County of the State of Michigan relative to tariff rate quotas for dry milk protein; to the Committee on Finance.

### RESOLUTION NO. 2003-283

Whereas, the domestic dairy industry has been significantly impacted in recent years by the rising use of dry mild protein concentrates (MPCs) and is very concerned about the effect that imported MPCs are having; the increasing use of these key components in many dairy products and the fact that regulations have clearly lagged behind technology are serious threats to a key part of American agriculture; and

Whereas, the technology that makes possible the ultrafiltration process that separates proteins and the other components of milk was not fully developed when the General Agreement on Tariffs and Trade (GATT) was finalized in 1994; as a result, there are almost no restrictions on the importation of MPCs and this is causing serious damage to the domestic dairy industry; and

Whereas, the quotas set under GATT in 1994 are clearly not comprehensive enough for the forms in which some dairy products are imported today; foreign exporters are known to blend dairy proteins for the purpose of circumventing existing tariff rate quotas; and

Whereas, further, farm groups strongly believe the dairy protein blends are being incorrectly classified by the United States Customs Service and this improper classification has also created a trade loophole that encourages importers to circumvent tariffs on certain dairy products which undermine food safety standards and cause an economic hardship for American agriculture; and

Whereas, Congress has introduced legislation to establish tariff rate quotas for MPCs and with the enactment of legislation to close this loophole American agriculture will be able to compete on a more equal basis; the overall benefits, to our national economy and the domestic dairy industry, will strengthen a vitally important industry and restore the stability of the marketplace: Now, therefore, be it

*Resolved*, That the Wayne County Commission on this 5th day of June, 2003 importunes the Congress of the United States to enact legislation to provide for tariff rate quotas for dry milk protein concentrates that are equivalent to the import quotas currently in place on other dairy products; and be it further

*Resolved*, That the Wayne County Commission urge the United States Customs Service to work for greater enforcement of food safety standards by reconsidering the classification of dairy products, especially those containing milk protein concentrates; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representative, the United States Customs Service, the United States Food and Drug Administration and the members of the Michigan Congressional Delegation.

POM-249. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Federal Medicare prescription drug benefit plan; to the Committee on Finance.

### HOUSE RESOLUTION NO. 317

Whereas, the Commonwealth of Pennsylvania has been providing pharmaceutical assistance coverage for low-income senior citizens for almost 20 years; and

Whereas, State Lottery Fund revenues and tobacco funds support the Pharmaceutical Assistance Contract for the Elderly (PACE) and the Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier (PACENET) programs; and

Whereas, these programs have saved and will continue to save millions of dollars in costs as a result of hospitalization and nursing care facility institutionalization for many individuals being prevented or delayed because enrollees have been kept healthy with their needed prescription medications; and

Whereas, the Federal Government and pharmaceutical companies have recognized

the potential value of providing pharmaceutical assistance coverage to low-income seniors; and \* \* \*

POM-250. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Veterans Health Care Funding Guarantee Act of 2003; to the Committee on Finance.

#### HOUSE RESOLUTION NO. 312

Whereas, funding for Department of Veterans Affairs (VA) health care under the Federal budget is discretionary and it is within the discretion of the Congress of the United States to determine how much money is allocated each year for veterans' medical care; and

Whereas, Section 1710(a) of Title 38 of the United States Code provides that the Secretary of Veterans Affairs "shall" furnish hospital care and medical services, but only to the extent Congress has provided money to cover the costs of the care; and

Whereas, the Disabled American Veterans (DAV) firmly believes that service-connected disabled veterans have earned the right to VA medical care through their extraordinary sacrifices and services to this nation; and

Whereas, the American Legion, AMVETS, Disabled American Veterans, Veterans of Foreign Wars, Paralyzed Veterans and other service organizations have fought for sufficient funding for VA health care and a budget that reflects the rising cost of health care and the increasing need for medical services; and

Whereas, the VA is unable to provide timely access to quality health care to many of our nation's most severely disabled service-connected veterans; and

Whereas, making veterans health care funding mandatory would ensure that the Federal Government meets its obligation to provide health care to service-connected disabled veterans and that all veterans eligible for the VA health care system have access to timely, quality health care; and

Whereas, making veterans health care funding mandatory would eliminate the year-to-year uncertainty about funding levels which has prevented the VA from being able to adequately plan for and meet the growing needs of veterans seeking treatment; and

Whereas, including all veterans for care in the mandatory health care funding proposal protects the overall viability of the system and the specialized programs to the VA has developed to improve the health and well-being of our nation's service-connected disabled veterans: Therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania urge Congress to take all the necessary steps to enact into law the Veterans Health Care Funding Guarantee Act of 2003, and make veterans health care mandatory to ensure that veterans have access to timely, quality health care; and be it further

*Resolved*, that copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-251. A joint resolution adopted by the Legislature of the State of Maine relative to the Federal Clean Air Act; to the Committee on Environment and Public Works.

#### JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Twentieth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and Congress, as follows:

Whereas, Section 111 of the Federal Clean Air Act requires the adoption of Federal

standards, known as new source review, reflecting the best available control technology for facilities that cause or contribute significantly to air pollution that may endanger public health and welfare; and

Whereas, the United States Environmental Protection Agency adopted such standards of performance for the construction or modification of power plants; and

Whereas, litigation against power plant owners for violations of new source review is being actively pursued; and

Whereas, the current Federal administration is reportedly considering modifications of the new source review program; and

Whereas, acid rain, which is damaging sensitive ecosystems, has been attributed to emissions from coal-burning plants in the Midwest and the Mid-Atlantic states and, to a lesser extent, in New England; and

Whereas, scientific research has established a well-defined link between power plant air emissions and human health effects, including exacerbation of symptoms for those with asthma, increased risk of heart attacks for those with heart disease and increased risk of lung cancer and premature death: Now, therefore, be it

*Resolved*, That We, your Memorialists, urge President George W. Bush and the United States Environmental Protection Agency Administrator Christie Whitman to maintain the existing regulations on new source review; and be it further

*Resolved*, That We, your Memorialists, urge Congress to take appropriate action against any decision made by the United States Environmental Protection Agency to modify the regulations implementing Section 111 of the Federal Clean Air Act if the result would be to jeopardize Maine's ability to safeguard public health and protect environmental quality; and be it further

*Resolved*, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, Administrator Christie Whitman and each member of the Maine Congressional Delegation.

POM-252. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to biological invasions by nonnative species; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION

Whereas, biological invasions by nonnative species are a national problem, pose significant threats to Pennsylvania's ecosystems and economy, severely impact vital Commonwealth interest, including agriculture, forestry, recreation and tourism, and may be detrimental to public health and safety; and

Whereas, discharge of ballast water from ships is a primary vector for introduction of nonnative species into Commonwealth habitats; and

Whereas, Pennsylvania's watershed basins for the Great Lakes, the Delaware, Susquehanna, Ohio and Potomac rivers and other pathways of commerce and recreation have a major role in introducing nonnative species; and

Whereas, Pennsylvania's natural resources provide exceptional quality of life and economic prosperity to the citizens of this Commonwealth; and

Whereas, Great Lakes and Chesapeake Bay intergovernmental task forces have recommended actions to prevent and control biological invasions; and

Whereas, Section 27 of Article I of the Constitution of Pennsylvania establishes the Commonwealth as trustee of Pennsylvania's public natural resources: Therefore be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact legislation that would coordinate Federal and regional actions to prevent and control biological pollution, particularly through management of ballast water discharges, elimination of unintentional introductions of nonnative invasive species and reduction of the dispersal of nonnative species within Pennsylvania's ecosystems through the development of timely, effective, scientifically based, environmentally sound and economically viable management programs; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

#### HOUSE RESOLUTION NO. 318

Whereas, identification fraud is becoming one of the fastest-growing crimes in the United States; and

Whereas, identification fraud will cost financial companies \$4.2 billion this year and \$8 billion by 2006 according to the market research firm Financial Insights; and

Whereas, more than 750,000 Americans were affected by identification fraud in 2001; and

Whereas, identification fraud increased by 23% from 2000 to 2001; and

Whereas, identification fraud through the use of change of address forms is a common trend in crimes of identification fraud; and

Whereas, identification fraud security measures taken by the United States Postal Service would significantly decrease the \* \* \*

POM-254. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Carl L. Perkins Vocational and Technical Education Act; to the Committee on Health, Education, Labor, and Pensions.

Whereas, the Carl D. Perkins Vocational and Technical Education Act is scheduled for reauthorization this year; and

Whereas, in fiscal year 2002, the Commonwealth of Pennsylvania received nearly \$52 million for its allocation under the Perkins Act; and

Whereas, Perkins Act moneys were used to provide Pennsylvania career and technical education students, including those with special needs, with high-quality career and technical education programs at the secondary, adult and postsecondary levels; and

Whereas, under the current Perkins Act, Pennsylvania students \* \* \*

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

S. 589. A bill to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies (Rept. No. 108-119).